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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY

BY HAND

Honorable James L. Robart
US District Court Judge,
Western District Washington
700 Stewart Street, Suite 14128
Seattle, WA 98101



10-CV-01823-LTR

Microsoft Corp. v. Motorola, Inc. et al.
No. C10-1823-JLR

Dear Judge Robart:

As your Honor instructed, the parties have jointly provided the Court with copies of the admitted exhibits, and separate copies of the demonstratives used at trial. It is Motorola's understanding that, of the admitted exhibits, there are a total of 38 that either have been provisionally sealed by the Court or that (in the case of three) one of the parties has asked be sealed, and that the Court has not yet explicitly ruled on.¹

Along with the admitted exhibits, Motorola has provided proposed redactions for the seventeen admitted exhibits that are currently provisionally sealed and which Motorola is asking be permanently sealed.² For the patent license agreements (Exhibits 13, 16, 36, 37, 38, 413, 1680, 2800, and 2833), Motorola has provided versions that propose redactions only of "pricing terms, royalty rates, and guaranteed minimum payment terms," in accordance with the Court's statements on November 19, 2012. (11/19/12 Trial Tr. at 5.) Motorola also understands that other confidential portions of the agreements that are not relied upon by the Court in its decision will not be made available to the public. (11/13/12 Trial Tr. at 11-12.) Motorola reaffirms that, in accordance with

¹ The sealed admitted exhibits are: 13, 16, 36, 37, 38, 69, 413, 502, 1141, 1636, 1660, 1680, 1681, 2082, 2353, 2365, 2366, 2370, 2371, 2372, 2377, 2466, 2467, 2468, 2477, 2483, 2686, 2688, 2692, 2727, 2800, 2833, 3162, 3163, 3164, 3345, 3373, and 3383. Of these, the Court has ruled on all but Exhibits 37, 1141, and 1636. On November 19, 2012, Motorola asked that Exhibit 37 (the patent license between Terabeam and Symbol) be sealed; Microsoft has asked that Exhibits 1141 and 1636 be sealed.

² Of the sealed admitted exhibits, Motorola asked the Court to seal Exhibits 13, 16, 36, 37, 38, 69, 413, 502, 1660, 1680, 1681, 2800, 2833, 3162, 3163, 3164, and 3373. Microsoft asked the Court to seal the additional 21 exhibits. Motorola has not provided a redacted version of Exhibit 3164, because, in light of the Court's comments on sealing, it does not contain information that should be redacted if it is relied upon by the Court. Motorola has not provided a redacted version of Exhibit 1660 because the entire 1-page letter should be redacted.

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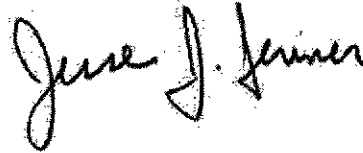
- 2 -

December 4, 2012

Honorable James L. Robart

the Court's comments, Motorola will within 48 hours of the publication of the Court's opinion provide the Court with additional proposed redactions of these sealed license agreements relating to confidential terms not relied on by the Court in reaching its decision.

Respectfully,

A handwritten signature in black ink, appearing to read "Jesse J. Jenner". The signature is written in a cursive, flowing style.

Jesse J. Jenner

cc: Arthur W. Harrigan, Jr., Esq. (by email/with enclosures)
David T. Pritikin, Esq. (by email/with enclosures)
Ralph H. Palumbo, Esq. (by email/with enclosures)